

58-17b-610 Patients' immediate needs -- Dispensing drug samples.

- (1) This chapter may not be construed to prevent the personal administration of drugs or medicines by practitioners licensed to prescribe in order to supply the immediate needs of the practitioner's patients.
- (2) Immediate need for a patient includes giving out drug samples that:
 - (a) are not Schedule II drugs, opioids, or Benzodiazepines;
 - (b) are prepackaged by the original manufacturer;
 - (c) are provided to the prescribing practitioner free of charge and provided to the patient free of any direct or indirect charge;
 - (d) do not exceed a 30-day supply for:
 - (i) controlled substances; or
 - (ii) non-controlled substances, unless a prescribing practitioner documents that providing more than a 30-day supply is medically necessary; and
 - (e)
 - (i) are marked on the immediate container to indicate that the drug is a sample; or
 - (ii) are recorded in the patient's chart with the name and number of samples provided.
- (3) A prescribing practitioner who provides samples for a patient shall comply with Subsection (2).

Amended by Chapter 320, 2012 General Session